

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA,) CASE NO. 4:13-CR-100-A
)
Government,)
) FORT WORTH, TEXAS
VERSUS)
) AUGUST 2, 2013
SYDNEY MELISSA NAVARRO (07),)
)
Defendant.) 10:38 A.M.

VOLUME 1 OF 1
TRANSCRIPT OF REARRAIGNMENT
BEFORE THE HONORABLE JOHN McBRYDE
UNITED STATES DISTRICT COURT JUDGE

A P P E A R A N C E S :

FOR THE GOVERNMENT: MR. JOSHUA BURGESS
UNITED STATES DEPARTMENT OF JUSTICE
NORTHERN DISTRICT OF TEXAS
801 Cherry Street, Suite 1700
Fort Worth, Texas 76102-6882
Telephone: 817.252.5200

FOR THE DEFENDANT: MR. DEREK D. BROWN
Law Office of Derek Brown
209 West 2nd Street, Suite 197
Fort Worth, Texas 76102
Telephone: 817.992.5282

COURT REPORTER: MS. DEBRA G. SAENZ, CSR, RMR, CRR
501 W. 10th Street, Room 424
Fort Worth, Texas 76102
Telephone: 817.850.6661
E-Mail: debbie.saenz@yahoo.com

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P R O C E E D I N G S

August 2, 2013 - 10:38 a.m.

COURT SECURITY OFFICER: All rise.

(Judge enters)

COURT SECURITY OFFICER: Please be seated.

THE COURT: Okay. We have three rearraignments, and I'll call first Number 4:13-CR-092-A. It's United States of America versus Rocky Allen Roads.

And Mr. Smith's here for the government, I suppose.

MR. SMITH: That's right, Your Honor.

THE COURT: And Mr. Lund is here for Mr. Roads.

MR. LUND: Yes, Your Honor.

THE COURT: Mr. Roads, raise your right hand to be sworn.

(Defendant Roads sworn)

THE COURT: Mr. Roads, do you understand that you're now under oath and that if you answer any of my questions falsely, your answers could later be used against you in a prosecution for perjury or making a false statement?

DEFENDANT ROADS: Yes.

THE COURT: And I take it you read, write, understand, and speak the English language proficiently?

DEFENDANT ROADS: Yes, I do.

THE COURT: What is your full name?

DEFENDANT ROADS: Rocky Allen Roads.

1 THE COURT: Is the Allen A-L-L-E-N?

2 DEFENDANT ROADS: That's correct.

3 THE COURT: And is the Roads R-O-A-D-S?

4 DEFENDANT ROADS: Correct.

5 THE COURT: Okay. Why don't you and your attorney
6 step back just a minute, and I'll come back to you after I ask
7 the other defendants some questions.

8 (Brief pause)

9 THE COURT: Next is Number 4:13-CR-093-A. It's
10 United States of America versus Frank Morales.

11 And Mr. Smith is here for the government, and
12 Mr. Jenkins is here for the defendant.

13 MR. JENKINS: Yes, Your Honor.

14 THE COURT: Mr. Morales, raise your right hand to be
15 sworn.

16 (Defendant Morales sworn)

17 THE COURT: Mr. Morales, do you understand that
18 you're now under oath and that if you answer any of my
19 questions falsely, your answers could later be used against
20 you in a prosecution for perjury or making a false statement?

21 DEFENDANT MORALES: Yes, I do.

22 THE COURT: And I take it you read, write, and
23 understand the English language proficiently?

24 DEFENDANT MORALES: Yes, sir.

25 THE COURT: Okay. What is your full name?

1 *DEFENDANT MORALES:* Frank Morales.

2 *THE COURT:* Okay. Y'all step back just a minute,
3 Mr. Jenkins, and I'll come back to you.

4 *MR. JENKINS:* Thank you, Your Honor.

5 (Brief pause)

6 *THE COURT:* Okay. I'm next calling Number
7 4:13-CR-100-A. It's United States of America versus Sydney
8 Melissa Navarro.

9 And Mr. Burgess is here for the government, and
10 Mr. Brown's here for the defendant.

11 Ms. Navarro, raise your right hand to be sworn.

12 (Defendant Navarro sworn)

13 *THE COURT:* Ms. Navarro, do you understand that
14 you're now under oath and that if you answer any of my
15 questions falsely, your answers could later be used against
16 you in a prosecution for perjury or making a false statement?

17 *DEFENDANT NAVARRO:* Yes, sir.

18 *THE COURT:* And I take it you read, write,
19 understand, and speak the English language proficiently?

20 *DEFENDANT NAVARRO:* Yes, sir.

21 *THE COURT:* What is your full name?

22 *DEFENDANT NAVARRO:* Sydney Melissa Navarro.

23 *THE COURT:* And Sydney is S-Y-D-N-E-Y?

24 *DEFENDANT NAVARRO:* Yes, sir.

25 (Joint proceeding with defendants Roads, Morales,

1 and Navarro, as follows:)

2 *THE COURT:* Okay. I have in front of me defendants
3 Roads, Morales, and Navarro, I'm going to give all of you some
4 explanations that are important, bearing in mind your intent
5 to plead guilty, so listen closely to these explanations.

6 You and each of you may, if you choose, plead not
7 guilty to any offense charged against you or persist in that
8 plea if it already has been made.

9 If you plead not guilty, the Constitution of the
10 United States guarantees to you the following rights:

11 The right to a speedy and public trial by a jury in
12 this district.

13 The right at such a trial for you to confront, that
14 is, to see, hear, and cross-examine all witnesses against you.

15 The right at your trial for you to testify and
16 present evidence and to compel the attendance of witnesses.

17 The right to be represented by counsel, a counsel
18 appointed by the Court for you, if necessary, at trial and at
19 every other stage of the proceeding.

20 You cannot be compelled to testify, and you are to
21 be protected from compelled self-incrimination. The decision
22 of whether you will testify or not is a matter in which your
23 judgment will control.

24 The United States Government must prove your guilt
25 beyond a reasonable doubt.

1 If you're found guilty, you have the right to appeal
2 your conviction.

3 Defendant Roads, have you understood the
4 explanations I've given you about your constitutional rights?

5 *DEFENDANT ROADS:* Yes, I do.

6 *THE COURT:* Defendant Morales, have you understood
7 the explanations I've given you about your constitutional
8 rights?

9 *DEFENDANT MORALES:* Yes, I do.

10 *THE COURT:* Defendant Navarro, have you understood
11 the explanations I've given you about your constitutional
12 rights?

13 *DEFENDANT NAVARRO:* Yes, sir, I do.

14 *THE COURT:* I'm going to give all of you some
15 further explanations that are very important, bearing in mind
16 your intent to plead guilty, so listen closely.

17 If you plead guilty and if such a plea is accepted
18 by the Court, there will not be a further trial of any kind.
19 So by pleading guilty, you waive the right to a trial, as well
20 as those other rights associated with a trial as I described
21 them a minute ago.

22 A defendant who is accused of a crime cannot plead
23 guilty unless he or she is actually guilty of that crime.

24 In federal court, the judge determines the penalty
25 if a defendant is convicted, whether it is on a verdict of a

1 jury or on a plea of guilty.

2 Other than the staff of the court, the Court has not
3 and will not talk to anyone about the facts of your case,
4 except here in your presence, where you, your attorney, and
5 representatives of the government are all present.

6 If you should be convicted, you and your lawyer each
7 will be given an opportunity to present to the Court any pleas
8 for leniency. The penalty will be decided on the basis of the
9 facts set forth in the presentence report and facts heard
10 here.

11 You should never depend or rely upon any statement
12 or promise by anyone, whether connected with a law enforcement
13 agency, or the government, or anyone else, as to what penalty
14 will be assessed against you.

15 Should you decide to plead guilty, your plea of
16 guilty must not be induced or prompted by any promises, mental
17 pressure, threats, force, coercion, or pressure of any kind.
18 A plea of guilty must be purely voluntary and you should plead
19 guilty only because you are guilty and for no other reason.

20 Now, the offense to which you propose to plead
21 guilty is a felony. An adjudication of guilt of such an
22 offense may deprive a defendant of valuable rights, such as
23 the right to vote, to hold public office, to serve on a jury,
24 to possess any kind of firearm, and other rights.

25 An adjudication of guilt could result in

1 deportation, that is, being required to leave the United
2 States, of a defendant who is an alien, and could adversely
3 affect such a defendant's ability ever to become a citizen of
4 the United States.

5 Defendant Roads, have you understood the additional
6 explanations I've given you?

7 *DEFENDANT ROADS:* Yes, I do.

8 *THE COURT:* Defendant Morales, have you understood
9 the additional explanations I've given you?

10 *DEFENDANT MORALES:* Yes, Your Honor.

11 *THE COURT:* Defendant Navarro, have you understood
12 the additional explanations I've given you?

13 *DEFENDANT NAVARRO:* Yes, sir, I do.

14 *THE COURT:* Okay. I'm going to give all of you now
15 some explanations about the sentencing process. They are
16 important, so listen closely.

17 Under the Sentencing Reform Act of 1984, the United
18 States Sentencing Commission has issued guidelines for judges
19 to follow in determining the sentence in a criminal case, and
20 those guidelines are important. They are advisory only. That
21 means the Court is not obligated to follow the guidelines, but
22 the Court is obligated to take the guidelines into account,
23 and the sentencing ranges resulting from the guidelines into
24 account, in determining what sentence to impose, so they are
25 important.

1 Before I go any further, Defendant Roads, have you
2 and your attorney discussed how the sentencing guidelines
3 might apply to your case?

4 *DEFENDANT ROADS:* Yes, sir.

5 *THE COURT:* Defendant Morales, have you and your
6 attorney discussed how the sentencing guidelines might apply
7 to your case?

8 *DEFENDANT MORALES:* Yes, Your Honor.

9 *THE COURT:* Defendant Navarro, have you and your
10 attorney discussed how the sentencing guidelines might apply
11 to your case?

12 *DEFENDANT NAVARRO:* Yes, sir.

13 *THE COURT:* Okay. Going on with the explanations
14 about the sentencing process:

15 In determining your sentence, the Court is obligated
16 to calculate the sentencing guideline ranges applicable to
17 your case and is required to consider those ranges, possible
18 departures under the sentencing guidelines, and other
19 sentencing factors under 18 United States Code Section
20 3553(a).

21 The Court is not bound by facts that are stipulated
22 between the defendant on the one hand and the government on
23 the other. The Court can impose punishment that might
24 disregard stipulated facts or take into account facts not
25 mentioned in the stipulated facts. You might not be permitted

1 to withdraw your plea of guilty if that were to occur.

2 The Court will not be able to determine the
3 guideline sentence for your case until after the presentence
4 report has been completed and you and the government have had
5 an opportunity to challenge the facts and conclusions reported
6 by the probation office.

7 After the Court has determined what guidelines apply
8 to a case, the Court has the authority in some circumstances
9 to impose a sentence that is more severe or less severe than
10 the sentence called for by the guidelines.

11 Under some circumstances, you or the government may
12 have the right to appeal any sentence the Court imposes.

13 Parole has been abolished, and if you're sentenced
14 to prison, you will not be released on parole.

15 Now, as soon as this hearing is over this morning,
16 as to each of you, your attorney will go across the hall with
17 a form that's been provided and set up a time when the
18 probation officer who will be assigned to your case can
19 interview you.

20 Your attorney can be present when that interview
21 occurs, if appropriate arrangements are made, and I might add
22 that the degree of your cooperation with the probation officer
23 can be a factor in the severity of your sentence. That's
24 something you'll want to discuss with your attorney.

25 Now, the purpose of that interview is so the

1 probation officer can obtain from you information you have
2 relevant to the sentencing process. In addition to obtaining
3 information from you on that subject, the probation officer
4 will obtain information from other sources, such as, the
5 prosecutor, the investigating agency, maybe your family
6 members, maybe your employer or former employers, and perhaps
7 other sources.

8 Once the probation officer has enough information to
9 form opinions as to which of the sentencing guidelines apply
10 in your case and what the sentencing ranges are in your case
11 under those guidelines, the probation officer will prepare a
12 written document called a Presentence Report and will put in
13 that document his or her opinions on those subjects and will
14 also put in there the facts -- a recitation of the facts that
15 the probation officer reached -- relied on in reaching those
16 opinions. You'll get a copy that have report, once it's
17 completed, and the attorneys in your case will get copies, and
18 I'll get the original.

19 I rely very heavily on those reports in determining
20 what sentence to impose, so they need to be as complete and as
21 accurate as they possibly can be. When you receive your copy,
22 if you -- study it real carefully, and if there's anything in
23 it that you think is wrong, or if there's something that's
24 been left out that you think ought to be in it, tell your
25 lawyer because your lawyer has a right to object to the

1 presentence report, and I'm sure he will if what you tell him
2 is a basis for a legal objection, and then I'll rule on
3 whatever objections are made at or before the sentencing
4 hearing. Of course, you and your attorney both will be
5 permitted to speak on your behalf at the sentencing hearing.

6 Now, the sentencing hearing in the case of Defendant
7 Navarro will be at 9:00 a.m. on December 6, 2013.

8 In the cases of Defendant Morales and Defendant
9 Roads, your sentencing hearing will be at 9:00 a.m. on
10 December 20, 2013.

11 In each instance, the sentencing hearings will be
12 before me in this courtroom, and I'll be signing an order
13 today that fixes that time and date for sentencing, and it
14 will also have in it a timetable for accomplishment of things
15 that have to be done between now and the date of sentencing.
16 The attorneys in each case will receive copies of the order in
17 that case and, in each instance, the defendant's attorney will
18 see that his client receives a copy.

19 Mr. Roads, have you understood the explanations I've
20 given you about the sentencing process?

21 *DEFENDANT ROADS:* Yes, Your Honor.

22 *THE COURT:* Defendant Morales, have you understood
23 the explanations I've given you about the sentencing process?

24 *DEFENDANT MORALES:* Yes, Your Honor.

25 *THE COURT:* Defendant Navarro, have you understood

1 the explanations I've given you about the sentencing process?

2 DEFENDANT NAVARRO: Yes, sir.

3 THE COURT: Let me see. Fleather, let me see the
4 factual resumes on Morales and Roads -- no, on Navarro and
5 Morales.

6 (Bench Conference with Courtroom Deputy)

7 THE COURT: Okay. The next things I'm going to go
8 over are directed to defendants Morales and Navarro. Each of
9 you proposes to plead guilty to the offense of conspiracy to
10 possess with intent to distribute a controlled substance, that
11 is, methamphetamine, and I'm going to go over with each of you
12 some things that are particularly pertinent to what your plans
13 are.

14 The first thing I'm going to review with the two of
15 you is the things the government would have to prove to a jury
16 beyond a reasonable doubt to cause you to be convicted of the
17 offense charged against you by the indictment in your case, if
18 you were to persist in your plea of not guilty. And, of
19 course, the proof would have to be separate as to each of you.

20 Now, the proof that would have to be made is:

21 First, that two or more persons, directly or
22 indirectly, reached an agreement to distribute or possess with
23 intent to distribute a controlled substance as charged in the
24 indictment.

25 The second thing is that you -- the defendant knew

1 of the unlawful purpose of the agreement.

2 And the third thing is that the defendant joined in
3 the agreement willfully, that is, with the intent to further
4 its unlawful purpose.

5 And the fourth thing is that the overall scope of
6 the conspiracy involved at least 50 grams of a mixture or
7 substance containing a detectable amount of methamphetamine,
8 which is a Schedule II controlled substance.

9 Defendant Morales, do you understand those are the
10 things the government would have to prove to a jury beyond a
11 reasonable doubt to cause you to be convicted of the offense
12 charged by the indictment in your case?

13 *DEFENDANT MORALES:* Yes, Your Honor.

14 *THE COURT:* And do you admit that all of those facts
15 exist in your case?

16 *DEFENDANT MORALES:* Yes, Your Honor.

17 *THE COURT:* Defendant Navarro, do you understand the
18 things I've just gone over are the things the government would
19 have to prove to a jury beyond a reasonable doubt to cause you
20 to be convicted of the indictment in your case, if you were to
21 persist in your plea of not guilty?

22 *DEFENDANT NAVARRO:* Yes, sir.

23 *THE COURT:* And do you admit that all of those facts
24 exist in your case?

25 *DEFENDANT NAVARRO:* Yes, sir.

1 *THE COURT:* Okay. The next thing I'm going to go
2 over with defendants Morales and Navarro are the punishments
3 you're subjecting yourself to if you plead guilty to the
4 offense charged by the indictment in your case.

5 Those punishments are: A term of imprisonment that
6 would have to be at least 5 years and could be as much as 40
7 years; plus, payment of a \$5 million fine; plus, service of a
8 term of supervised release that would have to be at least 4
9 years and could be as much as life; plus, you would be
10 required to pay a special assessment of \$100. That would be
11 payable at the time of sentencing.

12 Plus, if you were to violate any condition of that
13 supervised release I mentioned, it could be revoked, and you
14 could be sent back to prison, and you could be required to
15 serve another term of imprisonment that could be as long as
16 your term of supervised release.

17 Defendant Morales, do you understand that you're
18 subjecting yourself to the penalties I've just described if
19 you plead guilty to the offense charged by the indictment in
20 your case?

21 *DEFENDANT MORALES:* Yes, Your Honor.

22 *THE COURT:* Defendant Navarro, do you understand
23 that you're subjecting yourself to the penalties I've just
24 described if you plead guilty to the offense charged by the
25 indictment in your case?

1 *DEFENDANT NAVARRO:* Yes, sir.

2 *THE COURT:* Okay. I'm going to have at this time
3 defendants Morales and Navarro and their attorneys be seated
4 and, Defendant Roads, why don't you and your attorney come
5 back up to the microphone a minute.

6 (Proceedings held in other cases, not requested)

7 (Continuing with Defendant Navarro, as follows:)

8 *THE COURT:* Okay. I'll call back now in Case Number
9 4:13-CR-100-A, Defendant Sydney Melissa Navarro.

10 And Mr. Burgess is here for the government, and
11 Mr. Brown and his client are back at the podium.

12 Ms. Navarro, I'm going to get some personal
13 information about you before we go any further.

14 What is your age and date of birth?

15 *DEFENDANT NAVARRO:* 7-31-84, and I'm 29.

16 *THE COURT:* Okay. And how far did you go in school?

17 *DEFENDANT NAVARRO:* I took an equivalency TAB test
18 with Careers Centers of Texas, so I could go to college with
19 Kaplan University.

20 *THE COURT:* Did you get a GED?

21 *DEFENDANT NAVARRO:* No, sir.

22 *THE COURT:* How far did you go in school before you
23 dropped out?

24 *DEFENDANT NAVARRO:* No, sir. It's -- it's like a
25 high school diploma that you get through Career Centers of

1 Texas.

2 *THE COURT:* Oh, okay.

3 *DEFENDANT NAVARRO:* Yes, sir, and I have two years
4 of college.

5 *THE COURT:* What college did you go to?

6 *DEFENDANT NAVARRO:* Kaplan University.

7 *THE COURT:* Kaplan? What's --

8 *DEFENDANT NAVARRO:* It's through Career Centers of
9 Texas. It's -- I got my medical assisting.

10 *THE COURT:* Kaplan, K-A-P-L-A-N, is what you're
11 saying?

12 *DEFENDANT NAVARRO:* Yes, sir.

13 *THE COURT:* Okay. I know what that is. I just
14 didn't understand what you said.

15 What were you studying for?

16 *DEFENDANT NAVARRO:* Medical assistant and my
17 phlebotomy certification.

18 *THE COURT:* Okay. Are you now under the -- what
19 kind of work have you been doing?

20 *DEFENDANT NAVARRO:* I was a phlebotomist and a
21 medical assistant.

22 *THE COURT:* Okay. Are you currently under the care
23 of a physician or psychiatrist for anything?

24 *DEFENDANT NAVARRO:* No, sir.

25 *THE COURT:* Have you been at any time in the last

1 six months?

2 *DEFENDANT NAVARRO:* No, sir.

3 *THE COURT:* Have you ever been hospitalized or
4 treated for narcotics addiction or alcoholism?

5 *DEFENDANT NAVARRO:* No, sir.

6 *THE COURT:* As far as you're concerned, do you
7 suffer from any kind of emotional or mental disability or
8 problem?

9 *DEFENDANT NAVARRO:* No, sir.

10 *THE COURT:* Are you now under the influence of
11 alcohol or any kind of drug?

12 *DEFENDANT NAVARRO:* No, sir.

13 *THE COURT:* Do you consider that you're of sound
14 mind?

15 *DEFENDANT NAVARRO:* Yes, sir.

16 *THE COURT:* Okay. And do you understand exactly
17 what you're here for today, with the intent to plead guilty to
18 the offense charged by the indictment in this case, and that's
19 the offense of conspiracy to possess with an intent to
20 distribute a controlled substance and that is methamphetamine?

21 *DEFENDANT NAVARRO:* Yes, sir.

22 *THE COURT:* Do you have any reason to think,
23 Mr. Brown, that your client's not fully competent to enter
24 such a plea?

25 *MR. BROWN:* No, Your Honor. She's mentally

1 competent.

2 *THE COURT:* Or that such a plea would not be a
3 knowing and voluntary plea?

4 *MR. BROWN:* No. Her plea is knowing and voluntary.

5 *THE COURT:* Ms. Navarro, you have received a copy of
6 the indictment in this case, you've read it and understand
7 exactly what you're charged with?

8 *DEFENDANT NAVARRO:* Yes, sir.

9 *THE COURT:* Unless there's a waiver of the reading
10 of it, I'm going to have it read aloud at this time.

11 *MR. BROWN:* Your Honor, we'll waive the indictment,
12 the reading of it.

13 *THE COURT:* Okay. I have a couple of documents that
14 have been handed up to me that appear to be signed by you,
15 Ms. Navarro. One is called a Factual Resume, and the other is
16 called a Cooperation Agreement. I'll hold them up, so you can
17 see what I'm talking about.

18 Did you sign those documents?

19 *DEFENDANT NAVARRO:* Yes, sir, I did.

20 *THE COURT:* And did you read them before you signed
21 them?

22 *DEFENDANT NAVARRO:* Yes, sir.

23 *THE COURT:* Did you understand exactly what each one
24 of them said before you signed it?

25 *DEFENDANT NAVARRO:* Yes, sir, I do.

1 *THE COURT:* And did you discuss those documents
2 before you signed them with your attorney, so you would know
3 the legal meaning of everything in them?

4 *DEFENDANT NAVARRO:* Yes, Your Honor.

5 *THE COURT:* And did you understand what your
6 attorney told you?

7 *DEFENDANT NAVARRO:* Yes, sir, I did.

8 *THE COURT:* Okay. I'm going to order this
9 cooperation agreement included in the record as part of the
10 record of the sentencing hearing (sic). It's marked
11 Government's Exhibit 1.

12 I take it, Mr. Brown, that the willingness of your
13 client to plead guilty without a plea agreement results from
14 the fact that it's just a one-count indictment?

15 *MR. BROWN:* Yes, Your Honor.

16 *THE COURT:* By the way, Ms. Navarro, have you been
17 satisfied with the legal representation Mr. Brown's provided
18 you?

19 *DEFENDANT NAVARRO:* Yes, sir.

20 *THE COURT:* Do you have any complaint whatsoever
21 with anything he's done or failed to do as your attorney?

22 *DEFENDANT NAVARRO:* No, Your Honor.

23 *THE COURT:* Has anyone made any promise or assurance
24 to you of any kind in an effort to induce you to enter a plea
25 of guilty in this case?

1 *DEFENDANT NAVARRO:* No, Your Honor.

2 *THE COURT:* Do you have any deal or understanding or
3 agreement of any kind, either personally or through your
4 attorney, with the government?

5 *DEFENDANT NAVARRO:* No, sir.

6 *THE COURT:* Has anyone mentally, physically, or in
7 any other way attempted in any way to force you to plead
8 guilty in this case?

9 *DEFENDANT NAVARRO:* No, Your Honor.

10 *THE COURT:* Do you understand if you plead guilty
11 and if that plea is accepted, you will be adjudged guilty of
12 the offense charged by the indictment in this case, and that
13 your punishment will be assessed somewhere within the range of
14 punishment provided by statute, and your sentence will be
15 within the range provided by statute?

16 Do you understand those things?

17 *DEFENDANT NAVARRO:* Yes, sir, I do.

18 *THE COURT:* Do you understand that if you plead
19 guilty and then end up getting a sentence that's more severe
20 than you hoped it would be, you'll still be bound by your plea
21 of guilty and won't have a right to withdraw it?

22 *DEFENDANT NAVARRO:* Yes, sir.

23 *THE COURT:* With the knowledge you now have, how do
24 you plead to the offense charged by the indictment in this
25 case, guilty or not guilty?

1 *DEFENDANT NAVARRO:* Guilty.

2 *THE COURT:* Is that consistent with your advice to
3 the defendant, Mr. Brown?

4 *MR. BROWN:* Yes, sir.

5 *THE COURT:* I'll accept that plea on the condition
6 that there is a factual basis to support it, and at this time
7 I'll ask that the stipulated facts in the factual resume be
8 read aloud.

9 *MR. BURGESS:* Beginning in or around October 2009,
10 and continuing until on or about March 20, 2013, in the Fort
11 Worth Division of the Northern District of Texas, the
12 defendant, along with Jamie Lynn Sellers, Martin Gaylord
13 Navarro, Steven Ronald Short, Melissa Jo Sullivan, Samuel
14 Aaron Sukhewatna, David Allen Felts, and Martin Navarro, also
15 known as Marty, and others, both known and unknown, did
16 knowingly and intentionally combine, conspire, confederate,
17 and agree to engage in conduct in violation of 21 USC Sections
18 841(a)(1) and (b)(1)(B), namely, to possess with intent to
19 distribute 50 grams or more of a mixture and substance
20 containing a detectable amount of methamphetamine, a Schedule
21 II controlled substance.

22 During the course of the defendant's participation
23 in the conspiracy, the defendant purchased methamphetamine
24 from Jamie Lynn Sellers. On at least two occasions, the
25 defendant purchased an ounce of methamphetamine from Sellers

1 for the purpose of redistribution to others.

2 Over the course of her involvement in the
3 conspiracy, the defendant distributed more than 50 grams of a
4 mixture or substance containing a detectable amount of
5 methamphetamine.

6 During the course of the conspiracy, the defendant
7 was told by Sellers that the source of supply for the
8 methamphetamine was codefendant Martin Navarro, also known as
9 Marty.

10 *THE COURT:* Okay. Are all those facts true?

11 *DEFENDANT NAVARRO:* Yes, sir.

12 *THE COURT:* Are they consistent with your
13 understanding of the true facts, Mr. Brown?

14 *MR. BROWN:* Yes, Your Honor.

15 *THE COURT:* Okay. I'll order that the factual
16 resume be filed.

17 The Court finds in the case of United States of
18 America versus Sydney Melissa Navarro that the defendant is
19 fully competent and capable of entering an informed plea, and
20 that her plea of guilty to the offense charged by the
21 indictment in this case is a knowing and voluntary plea,
22 supported by an independent basis in fact containing each of
23 the essential elements of the offense charged by the
24 indictment in this case, and that such plea did not result
25 from force, threats, or promises.

1 Her plea of guilty is, therefore, accepted, and she
2 is now adjudged guilty of the offense charged by the
3 indictment in this case.

4 Okay. The defendant's remanded to custody, and the
5 attorneys are excused.

6 COURT SECURITY OFFICER: All rise.

7 (End of Proceedings)

8 **REPORTER'S CERTIFICATE**

9 I, Debra G. Saenz, CSR, RMR, CRR, certify that the
10 foregoing is a true and correct transcript from the record
of proceedings in the foregoing entitled matter.

11 I further certify that the transcript fees format
12 comply with those prescribed by the Court and the Judicial
Conference of the United States.

Signed this 12th day of March, 2014.

13
14 /s/ Debra G. Saenz

15 DEBRA G. SAENZ, CSR, RMR, CRR
16 Texas CSR No. 3158
17 Official Court Reporter
The Northern District of Texas
Fort Worth Division

18
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20 Business Address: 501 W. 10th Street, Room 424
21 Fort Worth, Texas 76102

22 Telephone: 817.850.6661

23 E-Mail Address: debbie.saenz@yahoo.com
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25

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